

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IME WATCHDOG, INC.,

Plaintiff,

-against-

SAFA ABDULRAHIM GELARDI, VITO GELARDI,
GREGORY ELEFTERAKIS, ROMAN POLLAK,
ANTHONY BRIDDA, NICHOLAS ELEFTERAKIS,
NICHOLAS LIAKIS, and IME COMPANIONS LLC,

Defendants.

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SAFA GELARDI and IME COMPANIONS, LLC,

Third-Party Plaintiffs,

-against-

CARLOS ROA,

Third-Party Defendant.

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CARLOS ROA,

Third-Party Counter-Claimant,

-against-

SAFA ABUDLRAHIM GELARDI, VITO GELARDI,
and IME COMPANIONS, LLC,

Third-Party Counter-Defendants.

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**NOTICE: THE PUPOSE OF THIS HEARING IS TO PUNISH THE ACCUSED FOR
A CONTEMPT OF COURT, AND THAT SUCH PUNISHMENT MAY CONSIST OF
FINE, IMPRISONMENT, OR BOTH, ACCORDING TO LAW.**

**WARNING: YOUR FAILURE TO APPEAR IN COURT MAY RESULT IN YOUR
IMMEDIATE ARREST AND IMPRISONMENT FOR CONTEMPT OF COURT.**

Case No.: 1:22-cv-1032 (PKC) (JRC)

**ORDER TO SHOW CAUSE
FOR CONTEMPT AND FOR AN
ORDER OF ATTACHMENT
PURSUANT TO RULE 64 OF THE
FEDERAL RULES OF CIVIL
PROCEDURE & ARTICLE 62 OF
THE NEW YORK CIVIL
PRACTICE LAW & RULES**

Upon the annexed letter brief, the Declaration of Daniella Levi in support, and all prior pleadings and proceedings heretofore had herein,

LET the defendants, Safa Abdulrahim Gelardi, Vito Gelardi, and IME Companions LLC (collectively the “Defendants”), show cause before the Hon. Pamela K. Chen, U.S.D.J., of this Court to be held at the courthouse thereof, located at 225 Cadman Plaza East, Courtroom 4F North, Brooklyn, NY 11201, on the _____ day of _____, 2023 at _____ o’clock in the _____noon of that day, or as soon thereafter as counsel can be heard, why an Order should not be issued:

(a) holding Defendants in contempt of this Court’s March 27, 2023 Order amending the Amended Preliminary Injunction dated June 8, 2022 to, *inter alia*, precluding Defendants, their employees, agents, and/or any affiliated third parties from serving the customers on the Enjoined Customers List, by ordering the incarceration of Safa and Vito Gelardi until further Order of this Court; precluding Defendants, their employees, agents and/or any affiliated third parties from operating any business that competes with IME WatchDog, Inc., ordering Defendants to pay a \$5,000.00 daily fine until IME Management & Consulting LLC a/k/a IME Legal Reps ceases operating; and directing Defendants to pay a \$10,000.00 one-time fine;

(b) precluding Defendants from selling their property located at 148 Clay Pit Road, Staten Island, NY 10309 and any other real property located within the State of New York, or – in the alternative – directing that all proceeds from the sale of any such real property in the State of New York be held in escrow pending final disposition of this case;

(c) requiring Defendants to take down their new Website, <https://imelegalreps.com>, shut down the newly formed entity IME Management & Consulting LLC and to take down the Facebook post disparaging Plaintiff’s principal and Officer;

(d) awarding Plaintiff its damages, costs, and reasonable attorneys' fees incurred in connection with this application; and

(e) for such other and further relief as this honorable Court deems just, equitable, and proper; and it is

ORDERED, that pending the hearing and determination of this application, and further order of this Court, Defendants and any persons/entities acting in concert with them, are hereby:

(a) directed to comply with the March 27, 2023 Order in its entirety except that the March 27, 2023 Order is hereby amended to preliminarily enjoin Defendants, their employees, agents, and/or any affiliated third parties from operating or assisting in any regard with the operation of IME Management & Consulting LLC a/k/a IME Legal Reps or any other company or entity that competes with IME WatchDog, Inc.; and

(b) preliminarily enjoined from selling their property located at 148 Clay Pit Road, Staten Island, NY 10309 and any other real property owned by Defendants within the State of New York;

ORDERED that Plaintiff shall be permitted to conduct discovery on an expedited basis, including obtaining documents from Defendants and taking depositions in aid of the requested injunctive relief, and it is further

ORDERED that service via ECF made upon Defendants at shall be deemed good and sufficient service; and it is further

ORDERED that answering papers, if any, shall be served on Plaintiff's counsel, Emanuel Kataev, Esq., Milman Labuda Law Group PLLC, 3000 Marcus Avenue, Suite 3W8, Lake Success, NY 11042-1073, via ECF on or before the _____ day of _____, 2023; and it is further

ORDERED that reply papers, if any, shall be filed and served on or before _____ day
of _____, 2023.

Dated:

SO ORDERED:

Hon. Pamela K. Chen, U.S.D.J.